



# AMENDED AGENDA

## OCONEE COUNTY COUNCIL MEETING

### September 5, 2017

### 6:00 PM

Council Chambers, Oconee County Administrative Offices  
415 South Pine Street, Walhalla, SC

#### Call to Order

**Public Comment Session** *[Limited to a total of forty (40) minutes, four (4) minutes per person.]*

#### Council Member Comments

#### Moment of Silence

#### Invocation by County Council Chaplain

#### Pledge of Allegiance to the Flag of the United States of America

#### Approval of Minutes

- August 15, 2017 Regular Meeting

#### Administrator Report & Agenda Summary

#### Public Hearings for the Following Ordinances

**Ordinance 2017-19** “AN ORDINANCE TO DEVELOP A JOINTLY OWNED AND OPERATED INDUSTRIAL/BUSINESS PARK IN CONJUNCTION WITH PICKENS COUNTY, SUCH INDUSTRIAL/BUSINESS PARK TO BE, AT THE TIME OF ITS INITIAL DEVELOPMENT, GEOGRAPHICALLY LOCATED IN PICKENS COUNTY AND TO INCLUDE CERTAIN PROPERTY NOW OR TO BE OWNED BY A COMPANY KNOWN TO THE COUNTY AT THIS TIME AS “PROJECT EXODUS” OR ITS ASSIGNEE, AND ESTABLISHED PURSUANT TO SOUTH CAROLINA CODE OF LAWS 1976, SECTION 4-1-170 ET SEQ., AS AMENDED; TO PROVIDE FOR A WRITTEN AGREEMENT WITH PICKENS COUNTY PROVIDING FOR THE EXPENSES OF THE PARK, THE PERCENTAGE OF REVENUE ALLOCATION, AND THE DISTRIBUTION OF FEES IN LIEU OF AD VALOREM TAX; AND MATTERS RELATED THERETO.”

#### Third Reading of the Following Ordinances

**Ordinance 2017-19**

*[see caption above]*

#### Second Reading of the Following Ordinances

**Ordinance 2017-18** “AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE-IN-LIEU OF TAX AGREEMENT BY AND BETWEEN OCONEE COUNTY AND AN ENTITY KNOWN FOR THE TIME BEING AS “PROJECT MAXWELL,” WHEREBY OCONEE COUNTY WILL ENTER INTO A FEE-IN-LIEU OF TAX ARRANGEMENT WITH PROJECT MAXWELL AND PROVIDING FOR PAYMENT BY PROJECT MAXWELL OF CERTAIN FEES-IN-LIEU OF AD VALOREM TAXES; PROVIDING FOR SPECIAL SOURCE REVENUE CREDITS; PROVIDING FOR THE ALLOCATION OF FEES-IN-LIEU OF TAXES PAYABLE UNDER THE AGREEMENT FOR THE ESTABLISHMENT OF A MULTI-COUNTY INDUSTRIAL/BUSINESS PARK; AND OTHER MATTERS RELATING THERETO.”

- *Caption has been revised since first reading.*

**Ordinance 2017-20** “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A REAL PROPERTY LEASE AGREEMENT BETWEEN OCONEE COUNTY AS LESSOR AND THE FOOTHILLS ALLIANCE AS LESSEE; AND OTHER MATTERS RELATED THERETO.”

Council's meetings shall be conducted pursuant to the South Carolina Freedom of Information Act, Council's Rules and the Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition. This agenda may not be inclusive of all issues which Council may bring up for discussion at this meeting. Items are listed on Council's agenda to give public notice of the subjects and issues to be discussed, acted upon, received as information and/or disposed of during the meeting. Items listed on Council's agenda may be taken up, tabled, postponed, reconsidered, removed or otherwise disposed of as provided for under Council's Rules, and Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition, if not specified under Council's rules.

**Ordinance 2017-21** “AN ORDINANCE GRANTING CERTAIN EASEMENT RIGHTS TO DUKE ENERGY CAROLINAS, LLC FOR THE PURPOSE OF LOCATING AND MAINTAINING ELECTRIC AND/OR COMMUNICATION FACILITIES ON COUNTY-OWNED PROPERTY; AND OTHER MATTERS RELATED THERETO.”

**Ordinance 2017-22** “AN ORDINANCE AMENDING ARTICLE III OF CHAPTER 26 OF THE OCONEE COUNTY CODE OF ORDINANCES IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, NAMELY AS TO THE ELIMINATION OF THE SCENIC HIGHWAY COMMITTEE AND THE SUBSTITUTION OF THE PLANNING COMMISSION TO CARRY OUT ALL DUTIES AND FUNCTIONS FORMERLY BELONGING TO THE SCENIC HIGHWAY COMMITTEE; AND OTHER MATTERS RELATED THERETO.”

**Ordinance 2017-23** “AUTHORIZING THE ISSUANCE AND SALE OF A NOT EXCEEDING \$530,000 GENERAL OBLIGATION REFUNDING BOND (KEOWEE FIRE TAX DISTRICT), SERIES 2017, OF OCONEE COUNTY, SOUTH CAROLINA FOR THE PURPOSE OF REFUNDING THE COUNTY’S GENERAL OBLIGATION BOND (KEOWEE FIRE TAX DISTRICT), SERIES 2007; FIXING THE FORM AND DETAILS OF THE BOND; PROVIDING FOR THE PAYMENT OF THE BOND; AUTHORIZING THE COUNTY ADMINISTRATOR TO DETERMINE CERTAIN MATTERS RELATING TO THE BOND; PROVIDING FOR THE DISPOSITION OF THE PROCEEDS OF THE BOND; AND OTHER MATTERS RELATING THERETO.”

**Ordinance 2017-24** “AN ORDINANCE AUTHORIZING THE TRANSFER OF COUNTY-OWNED REAL PROPERTY, LOCATED WITHIN THE GOLDEN CORNER COMMERCE PARK, COMPRISING APPROXIMATELY 22 ACRES, TO THE OCONEE ECONOMIC ALLIANCE FOR THE PURPOSE OF CONSTRUCTION OF A “SPECULATIVE BUILDING” FOR INDUSTRIAL OR BUSINESS USE IN ORDER TO PROMOTE INCREASED OPPORTUNITIES FOR ECONOMIC GROWTH AND DEVELOPMENT WITHIN THE COUNTY; AND OTHER MATTERS RELATED THERETO.”

## **First Reading of the Following Ordinances**

## **First & Final Reading for the Following Resolutions**

### **Discussion Regarding Action Items**

**Millage Proposal for Tax Year 2017** / *Ms. Christy Hubbard, Oconee County Auditor*

#### **Engineering Services for Landfill Remediation / Solid Waste / \$107,128.00**

Assigned Solid Waste Reserve: **\$1,692,200** Project Cost: **\$107,128** Balance Solid Waste Reserve: **\$1,585,072**

At the January 17, 2017 Council meeting, Council approved the award of RFP 16-09 to Smith Gardner, Inc., for Engineering Services for Solid Waste. The Solid Waste department wishes to contract with Smith Gardner to provide engineering services for one remediation project for the closed Five Forks Landfill and two remediation projects for the closed Class 3 Seneca Landfill that were mandated by DHEC.

- Additional Groundwater Monitoring Wells, Five Forks Landfill – the installation of two additional groundwater monitoring wells for \$10,048.00.
- Landfill Gas Remediation Plan, Seneca Landfill – This includes an investigation into improving the performance of the existing gas extraction system and the installation of a passive LFG vent trench for \$39,070.00.
- Implementation of PlumeStop for 250 ft. Pilot Study, Seneca Landfill – This study was set forth in the Corrective Action Plan approved by DHEC for a pilot study of implementing the selected remedy, PlumeStop (Liquid Activated Carbon) enhanced bioremediation for approximately 250 feet to determine the effectiveness of this type of barrier system, prior to the installation of a full scale system for \$58,010.00.

It is the staff’s recommendation that Council approve the total award of \$107,128.00 to Smith Gardner, Inc., of Raleigh, NC for engineering services for the three projects listed above.

## Sole Source Award to Regenesis BioRemediation Products, Inc. / Solid Waste / \$269,500.00

Assigned Solid Waste Reserve: **\$1,585,072** Project Cost: **\$269,500** Balance Solid Waste Reserves: **\$1,315,572**

The Solid Waste Department has received a recommendation from Smith Gardner, Inc., the firm under contract to provide all Solid Waste Engineering services, to utilize Regenesis BioRemediation Products, Inc. for the implementation of PlumeStop for the 250 foot pilot study set forth in the Corrective Action Monitoring Plan for remediation required for the Seneca Landfill by DHEC. The proposal from Regenesis includes Design Verification Testing for \$7,500, providing the remediation products (PlumeStop and HRC-X – Hydrogen Release Compound Extended Release) for \$133,056.67, and the application services for \$128,943.33, to insure that these proprietary products are used correctly. Smith Gardner, Inc, will provide on-site engineering services to oversee this entire process.

It is the staff's recommendation that Council approve the award to Regenesis BioRemediation Products, Inc, of San Clemente, CA, in the amount of \$269,500.00 as a sole source to provide the remediation products and their application for the Seneca Landfill.

## Approval to seek bids for purchase of Rock Quarry Crushing Plant and Ancillary expenses

**Discussion of extension of due diligence / "review period" and closing deadlines in relation to the Old Courthouse Renovation. The developer requests an extension until October 30, 2017.**

## Board & Commission Appointments *(IF ANY)* [Seats listed are all co-terminus seats]

Building Codes Appeal Board.....	1 At Large Seat
Conservation Bank Board.....	District II
Board of Zoning Appeals.....	District V
Agricultural Advisory Board.....	District III

**Unfinished Business** [to include Vote and/or Action on matters brought up for discussion, if required] [None scheduled.]

**New Business** [may include items which may be scheduled for final action at a future meeting, if required] [None scheduled.]

**Council Committee Reports** [None scheduled.]

## Executive Session

[upon reconvening Council may take a Vote and/or take Action on matters brought up for discussion in Executive Session, if required]

For the following purposes, as allowed for in § 30-4-70(a) of the South Carolina Code of Laws:

[1] "to receive legal advice and discuss a contractual matter related to infrastructure located on and/or serving the Golden Corner Commerce Park."

[2] "to receive legal advice and discuss employment / personnel matters related to work force reduction and the Treasurer and Auditor's office and discuss employment/personnel matter related to the assessor office."

## Adjourn

Assisted Listening Devices [ALD] are available to accommodate the special needs of citizens attending meetings held in Council Chambers.

ALD requests should be made to the Clerk to Council at least 30 minutes prior to the meeting start time.

County Council, Committee, Board & Commission meeting schedules, agendas are posted at the Oconee County Administration Building & are available on the County Council Website.